

- a. contacting a serum sample to be assayed with a labeled antibody specific for an α -dystroglycan fragment, and
 - b. assaying the amount of bound label,
- wherein said α -dystroglycan fragments bound to said labeled antibody are positively correlated with tumor cell growth.

Please insert the following claims:

29. The method of claim 22, wherein said cell is an epithelial cell.
30. The method of claim 29, wherein said epithelial cell is a breast epithelial cell.

REMARKS

By Office Action dated April 23, 2002, paper no. 7, the rejection of Claims 1-8 under 35 USC § 112, first paragraph was withdrawn in view of the arguments set forth by the Applicants. Claims 1-8 and 22-24 are pending and under examination.

In conformity with current U.S. Patent and Trademark Office rules set forth in 37 C.F.R. § 1.121(c)(1)(i-ii), Applicants have attached hereto at Appendix 1, a separate sheet entitled "Version With Markings To Show Changes Made" to present the various changes made to the specification, and a clean copy of the current pending claims at Appendix 2.

For the sake of clarity, the rejections and objections of the presently outstanding Office Action are set forth below, in the order in which they were presented and are herein addressed:

1. Claims 22-24 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Coico, et al. and Matsumura, et al (1993).
2. Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Matsumura, et al (1997).

1. THE CLAIMS ARE NOT OBVIOUS

Claims 22-24 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Coico, et al., which teaches an ELISA assay, and Matsumura, et al (1993). The Examiner alleges